



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**Nov. 15, 2007**

**For immediate release**

- 1. Green stream color and fish kill near Creston is tied to industrial discharge**
- 2. EPA develops tips for anhydrous dealers**
- 3. Iowa environmental regulatory workshops to assist construction, demolition industry**
- 4. DNR enforcement actions**

## **GREEN STREAM COLOR AND FISH KILL NEAR CRESTON IS TIED TO INDUSTRIAL DISCHARGE**

**MEDIA CONTACT: Kirk Mathis at (712) 250-8643 (cell) or (712) 243-1934 (office).**

CRESTON - Preliminary laboratory results indicate that the fluorescent green dye that discolored more than eight miles of stream below Creston Nov. 1 and 2 is also the cause of the fish kill that occurred.

Results from samples collected as the material entered and left the Creston Wastewater Treatment Plant, along with water samples collected by the DNR both upstream and downstream, indicate that the dye has a very high oxygen demand.

“This means that as the dye decomposes in the stream it can deplete the stream of oxygen, killing fish in the process,” said Dan Stipe, supervisor of the DNR Atlantic field office.

“However there may also be a component in the dye that is toxic,” he added. “The University of Iowa Hygienic Laboratory is testing for toxicity of the dye, Zyglo. Although they haven’t completed the tests, results show that the dye is toxic to fish at

fairly low concentrations – when it’s diluted by 32,000 parts of water per one part of Zyglon.”

The UHL is also testing the dye for metal levels and other substances to determine the specific cause of the fish kill. Testing is expected to be completed within a week.

“We can conclude that the fluorescent green dye killed the fish,” said Dan Stipe, supervisor of the DNR Atlantic field office. “However, we don’t yet know the mechanism that killed them.”

The green dye was traced to Fansteel/Wellman Dynamics located on the east side of Creston where 280 gallons of the fluorescent dye was pumped into the sanitary sewer last week.

Company representatives told Stipe that the responsible employee was on a new job assignment and disposed of the dye to the sanitary sewer because the product label said the dye was biodegradable.

“Lots of products are biodegradable, but that doesn’t mean that they are safe for disposal in the sanitary sewer, landfill or the nearest stream,” Stipe said. “We’ve had fish kills caused by products like milk which people don’t think of as dangerous.

“But milk has a high oxygen demand which pulls oxygen out of the water as it decomposes and it can cause fish kills in large enough amounts,” he said. “Ammonia is another biodegradable product that can be toxic to inhale or in water.”

DNR fisheries biologists counted 2,583 dead fish on the Platte River and the tributary leading to the river. Both small and large fish were killed, including mostly minnows, shiners, chub and dace. Fish killed also included carpsuckers, carp, bullhead, channel catfish, sunfish and largemouth bass.

The DNR will continue to investigate the precise mechanism that caused the fish kill and will seek fish restitution and the costs of the investigation. Appropriate legal action may also be taken.

*Writer: Karen Grimes*

###

## **EPA DEVELOPS TIPS FOR ANHYDROUS DEALERS**

**MEDIA CONTACT: Kris Lancaster at U.S. EPA, (913) 551-7557 or Karen Grimes at (515) 281-5135.**

DES MOINES – Anhydrous dealers and co-op managers can learn more about federal expectations for risk management from a new fact sheet.

Planning, training, maintenance and keeping good records are the keys for dealers and managers who want to keep the workplace safe when handling anhydrous.

The fact sheet was produced by the U.S. Environmental Protection Agency to help anhydrous ammonia retailers meet chemical safety requirements.

It's specifically designed for those retailers who handle, process or store more than 10,000 pounds of anhydrous and are subject to the U.S. EPA Risk Management Program.

For further information: contact George Hess, EPA environmental scientist at (913) 551-7540, [hess.george@epa.gov](mailto:hess.george@epa.gov). The fact sheet is available on the EPA Web site at <http://www.epa.gov/region07/factsheets/index.htm>.

*Writer: Karen Grimes*

# # #

## **IOWA ENVIRONMENTAL REGULATORY WORKSHOPS TO ASSIST CONSTRUCTION, DEMOLITION INDUSTRY**

**MEDIA CONTACT: Jan Loyson, DED, at 515-242-4761 or [jan.loyson@iowalifechanging.com](mailto:jan.loyson@iowalifechanging.com)**

DES MOINES — The DNR is partnering with multiple agencies to co-sponsor the 2008 Iowa Environmental Regulatory Workshops for the Construction and Demolition Industry and Building Code Officials.

The six workshops, to be held in January and February, will provide a broad overview and introduction to regulatory compliance. Attendees will receive information on regulatory requirements for various programs and input on how to comply. All speakers will provide the resources and tools available to assist with regulatory compliance and discuss the value of integrating sustainability into business decisions.

A \$40 nonrefundable fee will be charged for registration and meal expense. Registration forms will be available online at [www.iowalifechanging.com/register/](http://www.iowalifechanging.com/register/)

Real estate agents and appraisers will receive a certificate for seven CEUs for course number #150-555 as approved by the Iowa Real Estate Commission. Building Code Officials will receive a certificate for seven contact hours. Credits for other professions are pending.

Workshops will be held from 8:00 a.m. - 4:30 p.m. on the following dates and locations:

Jan. 29, 2008

Council Bluffs

Holiday Inn Hotel & Suites/Ameristar Casino

Feb. 5, 2008	Ames Scheman Building, Iowa State University
Feb. 12, 2008	Storm Lake King's Point Resort
Feb. 19, 2008	Cedar Falls Holiday Inn University Plaza
Feb. 26, 2008	Ottumwa Bridge View Center
Feb. 28, 2008	Davenport Best Western Steeplegate Inn

The workshops are sponsored by:

- Iowa Department of Economic Development
- Iowa Department of Natural Resources
- Iowa Department of Public Health
- Iowa Department of Public Safety
- Iowa Workforce Development
- Iowa Waste Reduction Center
- Center for Sustainable Design

*Writer: Emily Grover*

###

## **DNR ENFORCEMENT ACTIONS**

**MEDIA CONTACT: Jessie Brown at (515) 281-5131.**

DES MOINES — The DNR took the following enforcement actions in October and November 2007, unless otherwise noted. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are available on the DNR's Web site at [www.iowadnr.gov/legal/eactions.html](http://www.iowadnr.gov/legal/eactions.html). The Web listing offers orders first taken in 2007 (amendments to orders issued prior to 2007 are not listed).

### **Consent Orders**

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Delaware County**

- Larry Sellner, of Earlville, agreed in a consent order to comply with a plan of action, to pay \$3,995.70 in fish restitution and to pay a \$2,000 penalty. The consent order is in regard to a manure release and resulting fish kill in Plum Creek in Delaware County.

#### **Greene, Wright Counties**

- Sparboe Eagle, LLC, of Jefferson, agreed in a consent order to submit an as-built construction permit, obtain all required permits prior to future construction and to pay a \$2,100 penalty. The consent order is in regard to a water supply well in Wright County.

#### **Grundy, Pottawattamie Counties**

- Peterson Contractors, Inc. (PCI), of Reinbeck, agreed in a consent order to comply with all applicable asbestos and solid waste rules in the future and to pay a \$3,100 penalty. The consent order is in regard to the disposal of materials from demolition of a drive-in movie theater in Council Bluffs.

#### **Harrison County**

- The Harrison County Sanitary Disposal Project agreed in a consent order to pay a \$980 penalty. The consent order is in regard to discharge of leachate from a landfill to a water of the state in Harrison County.

#### **Henry County**

- Southeast Iowa Grain Corporation, of Yarmouth, agreed in a consent order to submit receipts documenting proper disposal and to pay a \$6,500 penalty. The consent order is in regard to asbestos and open burning violations at a facility in New London.

#### **Ida County**

- Steve Meyer and Meyer Brothers, of Holstein, agreed in a consent order to complete basin construction, comply with all recordkeeping requirements of their National Pollution Discharge Elimination System (NPDES) permit, report all discharges from the facility that reach a water of the state, immediately depopulate any pen without approved manure controls in place, and to pay a \$7,500 penalty. The consent order is in regard to a manure release from an open cattle feedlot in Ida County.

#### **Jefferson County**

- Ryan Robertson, dba Robertson Farms, of Fairfield, agreed in a consent order to comply with proper procedures for land-applying manure to avoid future surface

water or groundwater pollution, and to pay a \$4,000 penalty. The consent order is in regard to a manure release to an unnamed stream near Pleasant Plain.

#### **Louisa County**

- The City of Wapello agreed in a consent order to separate its combined sewer system.

#### **Muscatine, Scott Counties**

- Rick Riessen, of Stockton, agreed in a consent order to in the future submit to the DNR complete manure management plans (MMP), fees and MMP updates. Riessen also agreed to pay a \$2,000 penalty. The consent order is in regard to failure to submit a complete Iowa Phosphorus Index Manure Management Plan for a site in Muscatine County.

#### **Pottawattamie County**

- W. Boyd Jones Construction Company, Inc., of Omaha, Neb., agreed in a consent order to pay a \$3,000 penalty. The consent order is in regard to asbestos removal at a high school in Council Bluffs.

#### **Sioux County**

- Doorenbos Poultry, Inc. and Scott Doorenbos, of Boyden, agreed in a consent order to submit a complete Iowa Phosphorus Index Manure Management Plan (MMP) and pay a \$3,000 penalty. The consent order is in regard to failure to submit an MMP for a site in Sioux County.

#### **Taylor County**

- Steve McMillin, dba McMillin Trucking and Repair, of Bedford, agreed in a consent order to pay a \$500 penalty. The consent order is in regard to solid waste disposal and open burning violations at a site in Taylor County.

#### **Warren County**

- Fred Knosby, of Cumming, agreed in a consent order to cease open burning of solid waste and to pay a \$3,180 penalty. The consent order is in regard to open burning violations at a site in Warren County.

#### **Wayne County**

- The City of Promise City agreed in a consent order to install a centralized sewer system and wastewater treatment system and to pay a \$1,500 penalty. The city also agreed to stipulated penalties if deadlines are not met.

#### **Consent Amendments**

A consent amendment is issued in settlement of a previous administrative order or to amend a pre-existing consent order. A consent amendment indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Carroll, Sac Counties**

- Philip Renze, of Carroll, agreed in a consent amendment to comply with manure applicator certification requirements in the future and pay a \$1,000 penalty. This amends a 2004 administrative order regarding manure applicator certification violations at a site in Sac County.

#### **Osceola County**

- Broin and Associates, Inc., aka Otter Creek Ethanol, LLC, of Sioux Falls, S.D., agreed in a consent amendment to pay an \$8,400 penalty. This amends a 2004 administrative order regarding wastewater violations at a site in Osceola County. In 2007, Broin and Associates, Inc. legally changed its name to POET Design and Construction, Inc., and Otter Creek Ethanol, LLC, is now doing business as POET Biorefining-Ashton.

#### **Worth County**

- Iowa Ethanol, LLC, now known as POET Biorefining-Hanlontown, of Sioux Falls, S.D., agreed in a consent amendment to pay an \$8,400 penalty. This amends a 2004 administrative order regarding storm water violations at a site in Worth County. The order was also amended to remove all references to Reilly Construction Co., Inc., of Decorah, as a responsible party for any of the violations addressed in the order.
- Iowa Ethanol, LLC, now known as POET Biorefining-Hanlontown, of Sioux Falls, S.D., agreed in a consent amendment to pay an \$8,400 penalty. This amends a 2004 administrative order regarding wastewater and water supply violations at a site in Worth County.

*Writer: Jessie Brown*